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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,752	06/25/2001	Jeffry Calhoun	00575	9775

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KIRKPATRICK & LOCKHART LLP
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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT PAPER NUMBER

2642

DATE MAILED: 07/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,752

Applicant(s)

CALHOUN ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11,13-18,20-25,27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11,13-18,20-25,27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Reads on well known feature

2. The claims read on a cellular phone having a directory number and having a redirection service (e.g., to voice mail number) when the cellular phone is temporarily inoperative (e.g., no signal/reception in a particular area). When the cellular phone starts receiving signals (e.g., user moves out of the no-reception area), subsequent calls will be directed to the cellular phone. The claimed "service control point" (SCP) would read on any controlling switch in a wireless network or an SCP controlling a wireless network.

Claim Rejections - 35 USC § 103

3. Claims 1-4, 6-11, 13-18, 20-25, and 27-28 are rejected under 35 U.S.C. 102(b) as being unpatentable over Johnson (US PAT # 5,259,026) in view of Daly et al (US PAT # 5,222,128).

Regarding claim 1, Johnson teaches a system for routing a communication directed to a directory number, wherein a redirection service is operative with respect to the communication directed to the directory number to direct the communication away from the directory number to at least one other directory number whenever the directory

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number to which the communication was directed is inoperative (this reads on retrieving updated telephone numbers and replacing them with non-working telephone numbers, see abstract), the system comprising: a switch (this reads on switch 10, Fig. 1, see col.3, lines 56-58, col.5, lines 38-47 and col.6, lines 42-54) configured to receive the communication in a switched telephone network, wherein the communication is directed to the directory number having the directory service (this reads on the calls directed to the directory number), and wherein the switch (11 in Fig.2) is configured to detect the inoperative directory number associated with the communication (see col.6, lines 42-54) ; and a service control point (reads on SCP 21 in Fig. 2), in communication with the switch (see the relation between switch 11 and SCP 21 in col.6, lines 3-9, Fig. 2), wherein the switch is configured to provide the directory number to the service control point, and wherein the service control point includes a database of subscriber information maintained by the network (the database reads on the AIN rolling database element 50, see col.4, lines 56-67), and wherein the service control point is configured to search the database of subscriber information for a matching entry to the inoperative directory number (see col.4, lines 63-67 and col.5, lines 7-15), and wherein the service control point is configured to instruct the switch to redirect the communication away from the directory number to at least one other directory number upon finding the matching entry (see col.6, lines 42-68 and col.7, lines 18-24).

Johnson does not specifically teach the feature of temporarily inoperative and/or temporarily inoperative due to a temporary service disruption.

However, Daly teaches providing massive rerouting to telephone calls during a disaster situation at the customer location (see abstract). Basically temporarily inoperative and/or temporarily inoperative due to a temporary service disruption may simply read on the disaster scenario.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of rerouting to telephone calls during a disaster situation at the customer location, as taught by Daly, into the Johnson system in order to enhance the chances of reaching the subscriber/user (called party) at any location such as home, cellular phone, and/or car even in the event of temporary service disruption, i.e., cut-off in the telephone line in the event of snow, storm, or constriction.

Claims 8, 15 and 22 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding Claims 2-3, 9-10, 16-17 and 23-24, Johnson does not specifically teach the switch is configured to test for the cable fault in a feeder cable. However, this feature obviously provides the subscribers the convenience and the efficiency of routing calls, in case of failure on their cable in addition to preventing the needless processing

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of calls to non-working numbers. For the use of feeder cable, this is obvious and well known in the art, since any kind of cable could be tested.

Regarding claims 4, 11, 18 and 25, Johnson teaches the database of subscriber information includes one or more alternate directory numbers pursuant to a pre selected redirection scheme (this may read on the data base which is updated, and calls should be completed to the updated telephone number, see col. 2, lines 18-27).

Regarding claims 6, 13, 20 and 27 Johnson teaches the switch routes the communication to the temporarily inoperative directory number to which the communication was directed when no corresponding entry is found in the database (see col. 2, lines 28-30).

Regarding claims 7, 14, 21 and 28, Johnson teaches a service management system (this reads on the SLP 26), in communication with the service control point, for downloading subscriber information to the database (see col. 7, lines 29-36).

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

07/09/2004


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700